

Remarks/Arguments

The Examiner is thanked for the careful review of this Application. Claims 1-22 are pending after entry of the present Amendment. Amendments were made to the specification to correct typographical errors. Amendments were made to the claims to correct typographical errors and better define the claimed invention. The amendments do not introduce new matter. Per the Office's request, the Applicants have included line numbering for each claim, with each claim beginning at line 1.

Rejections under 35 U.S.C. § 112, Second Paragraph:

The Office has rejected claims 1-4, 5-13, 14-17, and 20 under 35 U.S.C. section 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The Office has particularly rejected claims 7, 8, 14, 15, and 20 indicating that the term "substantially" renders the claims unclear. Per the Office's request, the term "substantially" has been deleted from the claims 7, 8, 14, 15, and 20. The Applicants have further amended claims 1 and 5 to cure the deficiencies pointed out by the Office, as provided in paragraph 4, sections (i) and (ii).

As to the Office not clearly understanding what is meant by the phrase "the main task is a test harness," the Applicants respectfully bring the Office's attention to page 30, paragraph 43 wherein the Applicants have stated that the main task can be a test harness or a special application capable of designating the execution orders of each of the respective subtasks. *See also* page 31, par 45. Therefore, it is respectfully requested that section 112, second paragraph rejections of the claims be withdrawn in view of the amendments.

Rejections under 35 U.S.C. § 103(a):

Claims 1-8, 10-13, and 16-17 have been rejected under 35 U.S.C. 103(a) as being obvious over the U.S. Patent No. 6,711,616 to Stamm et al. (Stamm) in view of the U.S. Patent No. 5,371,883 to Gross et al. (Gross); Claim 9 has been rejected over Stamm in view of Gross further in view of U.S. Patent No. 6,112,243 to Downs et al. (Downs); Claims 14 and 15 have been rejected over Stamm; Claims 18-20 have been rejected over Stamm in view of the U.S. Patent No. 4,800,521 to Carter et al. (Carter); Claim 21 has been rejected over Stamm in view of Carter further in view of Downs; and Claim 22 has been rejected over Stamm in view of Carter further in view of Gross. For at least the reasons provided below, none of the combinations of the cited prior art raises a *prima facie* case of obviousness against the subject matter defined in amended independent claims 1, 5, 14, and 18.

The Applicants respectfully submit that a *prima facie* case of obviousness cannot be established in the claimed invention as the cited prior art fails to disclose, teach, or suggest, all the features of the claimed invention, as defined in independent claims 1, 5, 14, and 18. *See In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Among other features, the cited prior art fails to disclose, teach, or suggest allocating computing resources for the main

task and the subtask before proceeding to the next operation, a code of main task having program instructions for requesting loading of a code for a subtask to a second computing system, the code for the main task having client-server communication with the code with the code for the main task such that the code for the main task receives processing results directly from the code for the subtask, deploying of a subtask to the second processing resource once a special request for the subtask is received from the main task, enabling communication between the first task and the subtask, providing the main task with test results of the subtask, dispatching the special request to the system controller, or searching the task list for the subtask having the requested attributes.

Furthermore, even if the cited prior art discloses, suggests, or teaches all the features of the claimed invention (a preposition with which the Applicants disagree), none of the combinations of the cited prior art would have disclosed, suggested, or taught the method for executing processing tasks in a DPF system or the methods for distributing the execution of a plurality of tasks within a tasklist by a system controller, as defined in the claimed invention. Contrary to the Office's interpretation, Stamm alone does teach, disclose, or suggest the claimed invention as defined in independent claim 14. For instance, the excerpt in Stamm interpreted by the Office to teach deploying of the each task to a respective processing resource substantially at the same time, teaches almost the opposite. Specifically, the excerpt in column 4, lines 19-26 discloses that while the client 12a is executing subtask 1, server is waiting to receive another request for a subtask from client 12b. Once the client 12b sends a request for another subtask, the server selects the subtask to be executed and sends the command to the client 12b. That is, deployment is done successively, however, the processing resources needed to execute all tasks are not set aside before initiating the execution of the first task. In fact, Stamm and Gross cannot deploy the tasks at the same time because neither Stamm nor Gross discloses, teaches, or suggests allocating a respective processing resource to execute each task of the plurality of tasks prior to proceeding to the next operation by the system controller.

Furthermore, if Stamm and Gross were to be combined, the resulting system and method still fails to disclose, teach, or suggest the methods of the claimed invention, as defined in independent claims 1 and 5. For instance, in Gross, the control program forwards instructions from a test case to test machines to be executed. Furthermore, in Stamm, the control program maintains control of the sequence of execution. Thus, if Stamm and Gross were to be combined, the control program would be maintaining the control of the sequencing of the tasks and subtasks to be executed. Additionally, neither Stamm nor Gross discloses, teaches, or suggests that a main task can send a special request for a subtask, as defined in the claimed invention. Thus, even if a main task in Stamm or Gross could be sent a request for a specific subtask (a proposition with which the Applicants disagree), the control program overrides the special request of the main task as the control programs in both, Stamm and Gross control the sequencing of the tasks and subtasks. The Applicants

interpretation is further acknowledged by the Office. Specifically, on page 12, lines 6-7, the Office states: “[h]owever, Stamm disclosed in response to a request from a client, the server selects a subtask for execution (col. 1, lines 59-60).” [Emphasis added.]

Additionally, in Stamm and Gross, the results of the subtask executions are sent back to the control program, and not to the main task. The indication in Gross that the test systems act as bridge machines does not disclose, teach, or suggest that the result of the execution of the subtask is sent to the main task. Furthermore, nothing in Downs can cure such deficiencies in Stamm and Gross.

Still further, if Stamm were to be modified using the teachings of Carter, the resulting system and method would have failed to disclose, teach, or suggest the claimed invention, as defined in independent claim 18. For instance, the combination still fails to disclose, teach, or suggest deploying a second task to a second processing resource upon receiving the result of the execution of the first task. Rather, Carter only discloses a multiprocessor that has two portions in communication with one another. The Office has specifically cited to column 27, lines 28-31, interpreting that Carter teaches deploying a second task of the plurality of tasks to a second processing resource of the plurality of processing resources upon receiving a result of an execution of the first task. The excerpt cited by the Office, however, does not disclose, teach, or suggest the Office’s interpretation. In contrast, in col. 28, lines 19-21, Carter provides: “initiating the execution of the second task before the execution of all of the instructions of the first task.” Thus, the Applicants submit that Carter fails to disclose, teach, or suggest the claimed invention, as defined in claim 14. Additionally, nothing in Downs can cure such deficiencies in Carter or Stamm. Accordingly, it is respectfully submitted that claims 1-22 are patentable under 35 U.S.C. section 103(a) over any combination of the cited prior art.

The Applicants respectfully submit that all of the pending claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6913. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP031). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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